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Committee on the Exercise of the Inalienable Rights of the Palestinian People

Summary record of the 279th meeting
Held at Headquarters, New York, on Wednesday, 9 June 2004, at 3 p.m.

Chairman: Mr. Badji ..... (Senegal)

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The meeting was called to order at 3.15 p.m.

Adoption of the agenda

1. *The agenda was adopted.*

2. **The Chairman** informed the Committee of the activities that had taken place since its last meeting on 6 April. The Security Council had met twice to consider the situation in the Middle East, including the Palestinian question. At the Council meeting of 19 April, held in response to the killing of the Hamas leader Abdel Aziz Al-Rantissi, he had spoken in his capacity as Chairman of the Committee. He drew attention to Security Council resolution 1544 (2004), the statement issued by the Quartet at the meeting of the Quartet Principals hosted by the Secretary-General on 4 May (S/2004/421) and General Assembly resolution 58/292. The Bureau had had a productive meeting with the delegation of the European Union on 4 June to discuss aspects of the work of the Committee and issues of common interest and would continue to consult with the European Union Presidency.

3. Lastly, he had received a letter dated 28 April 2004 from the Permanent Representative of Hungary to the United Nations, Mr. László Molnár, informing the Committee about the decision of the Hungarian Government to withdraw from membership as of 1 May 2004.

4. In the absence of any comments or observations, he took it that the Committee wished to take note of that information.

5. *It was so decided.*

Developments in the Middle East peace process and the situation in the Occupied Palestinian Territory, including Jerusalem

6. **Mr. Al-Kidwa** (Observer for Palestine) said that, unfortunately, the Palestinian people continued to suffer from the Israeli occupation and policies and practices. Overall, the political situation was volatile, and no serious resumption of the Middle East peace process was in sight.

7. The international community had taken a clear position on the question of Palestine by adopting Security Council resolution 1544 (2004) and General Assembly resolution 58/292. There had also been several important meetings on the question, including those of the Organization of the Islamic Conference (OIC) and the Non-Aligned Movement, both of which had taken place in Malaysia, and the Arab Summit in Tunisia. Similar positions had emerged at those meetings, reflecting broad consensus among members of the international community on a range of issues regarding the question of Palestine, which were well expressed in the communiqué from the ministerial meeting of the Non-Aligned Movement Committee on Palestine.

8. The Ministers had reiterated their deep regret that the Road Map had yet to be implemented and that the situation had been gravely aggravated by the Israeli Prime Minister's unilateral disengagement plan and also the Israeli-United States exchange of letters. Several passages within the letters violated international law, relevant Security Council resolutions and the inalienable rights of the Palestinian people and departed completely from the Road Map. Accordingly, the plan and the letters were unacceptable and could not alter the terms of reference of the peace process.

9. The communiqué had noted the Quartet's commitment to the Road Map. Any Israeli withdrawal from the Gaza Strip should constitute a complete end to the occupation of the Gaza Strip. Settlement activities and the construction of the wall in the Occupied Palestinian Territory, including East Jerusalem, should also cease altogether. There was a need for compliance with the timeline set forth in the Road Map, in particular, with respect to the establishment of the State of Palestine by 2005. It was crucial for the international community to ensure that any withdrawal from the Gaza Strip should be part of the Road Map.

10. Recent developments on the Israeli side, however, had proved that the disengagement plan was aimed at undermining the Road Map and forestalling withdrawal from the West Bank. The Israeli Government had also taken a secret decision to postpone withdrawal even from settlements on the Gaza Strip until March 2005, thereby flouting the timelines established by the Road Map. It had also made exorbitant financial claims with respect to the West Bank, should any discussion of withdrawal ensue.

11. The situation on the ground was bleak. But if the international community maintained its stance on the question of Palestine, including the implementation of the relevant Security Council resolutions and the

possibility of a comprehensive resolution, significant change could come in a matter of months. There was a need for unity, support and solidarity until that moment came.

12. The OIC had raised with the Secretary-General the possibility of holding a special United Nations meeting on Palestine, with other international and regional groups, during the fifty-ninth General Assembly session to mobilize the international community in support of the two State solution and Israel's withdrawal to its 1967 borders. The meeting of the United Nations Committee on the Inalienable Rights of the Palestinian People in Cape Town, South Africa in June 2004 would help to pave the way towards a successful international meeting in New York.

13. Lastly, there would be a need for serious and comprehensive follow-up throughout the United Nations system to the important forthcoming advisory opinion of the International Court of Justice.

14. **Mr. Rastam** (Malaysia) said that he wished to provide the Committee with additional information on the proposal put forward by the Minister for Foreign Affairs of Senegal at the Ministerial Meeting of the Committee on Palestine of the Non-Aligned Movement, held at Putrajaya on 13 May 2004.

15. The idea behind the convening of a special meeting on Palestine was to bring together international and regional groups and organizations in order to discuss the Israeli-Palestinian conflict and to reaffirm the basic parameters for resolving it, including respect for the relevant provisions of international law, the two State solution based on the pre-1967 borders and the right of all States and peoples in the region to live in peace and security. The meeting would also provide an opportunity for the international community to reach a consensus on how best to proceed in order to secure a peaceful settlement to the conflict.

16. The Non-Aligned Movement intended to convene the meeting at United Nations Headquarters during the general debate at the fifty-ninth session of the General Assembly. Advance consultations should be organized regarding the final document to be adopted by the meeting, on the understanding that consensus would be essential. Technical consultations, involving the Secretary-General of the United Nations, the five permanent members of the Security Council and the ambassadors of the concerned States, would also be held in New York in advance of the meeting.

17. International and regional groups and organizations could be represented at the meeting by members of their secretariats or by representatives of the countries hosting their headquarters. All United Nations Member States and observers would be invited, but speaking privileges would be reserved for the representatives of the groups and organizations concerned and the parties to the conflict (Israel and Palestine). The Secretary-General of the United Nations and the five permanent members of the Security Council could also be invited to make statements.

18. The Minister for Foreign Affairs of Malaysia had undertaken to follow up on the matter and was in the process of sending out letters to the groups and organizations concerned. He would work closely with his relevant counterparts and with the Committee.

Report of the Chairman on the United Nations International Meeting on the Impact of the Construction of the Wall in the Occupied Palestinian Territory, including in and around East Jerusalem, 15 and 16 April 2004, United Nations Office at Geneva

19. **The Chairman** said that the United Nations International Meeting on the Impact of the Construction of the Wall in the Occupied Palestinian Territory, including in and around East Jerusalem, had been held during the sixtieth session of the Commission on Human Rights at the United Nations Office at Geneva on 15 and 16 April 2004. It had been attended by representatives of 67 Member State Governments, Palestine, five intergovernmental organizations, the International Committee of the Red Cross, the Inter-Parliamentary Union, 12 United Nations bodies and representatives of 29 civil society organizations. The Committee had been represented by a delegation comprising the Chairman, the two Vice-Chairmen and the Rapporteur.

20. Three plenary themes had been discussed during the Meeting, namely, how the construction of the wall devastated the lives and future of the Palestinian population, how it violated international law and how it rendered the two State solution physically impossible. Participants had focused on the impact of the construction on the ground as well as on international

efforts to stop it. They had also assessed its effects on the Palestinian population and discussed the Palestinian and Israeli response.

21. The Meeting had been very successful. It had generated a lively and informative discussion and fulfilled its objective. At the closing session, the participants had adopted a final document, in which they had expressed their dismay at the scope of the project, its devastating immediate and longer-term effects on the Palestinian population and the destructive consequences for the political process. They had also stressed the direct and dangerous challenge posed by the wall to the internationally recognized Armistice Demarcation Line, the violation of the letter and the spirit of the Road Map and the creation of new facts on the ground that predetermined the outcome of any future permanent status negotiations. The participants had expressed their concern over the current and potential humanitarian and economic consequences of the construction of the wall and noted the protracted and complete lack of dialogue between the parties. They urged the international community, particularly the Quartet, to remain actively involved in the situation and, in that connection, welcomed the action taken by the General Assembly, in particular its request for an advisory opinion from the International Court of Justice on the legal consequences arising from the construction of the wall.

22. He took it that the Committee wished to take note of the report.

23. *It was so decided.*

United Nations African Meeting in Support of the Inalienable Rights of the Palestinian People, 29 and 30 June, and the United Nations Forum of Civil Society in Support of Middle East Peace, 1 July 2004, Cape Town

24. The Chairman drew the Committee's attention to the document entitled "Working paper No. 3", which contained the provisional programmes for the United Nations African Meeting in Support of the Inalienable Rights of the Palestinian People and the United Nations Forum of Civil Society in Support of Middle East Peace, to be held in Cape Town on 29 and 30 June and 1 July 2004, respectively. Preparations for both meetings were progressing well, and the Bureau had been informed that the South African President, Thabo Mbeki, intended to open the meetings. The Committee delegation would consist of the Chairman, Mr. Camilleri (Malta), Rapporteur of the Committee, Mr. Kumalo (South Africa), Mr. Andjaba (Namibia), Mr. Rastam (Malaysia), Mr. Al-Kidwa (Palestine). A number of Member States had already confirmed their participation and it was hoped that all Committee members and observers would be represented.

25. He took it that the Committee wished to approve the provisional programmes for the meetings, as contained in the document entitled "Working paper No. 3".

26. *It was so decided.*

Accreditation of civil society organizations to the Committee

27. **The Chairman** drew the Committee's attention to the document entitled "Working paper No. 4", which contained applications from non-governmental organizations for accreditation to the Committee. The Bureau, assisted by the Division for Palestinian Rights, had reviewed the applications and concluded that the organizations concerned fulfilled the established criteria for accreditation. He therefore took it that the Committee wished to approve the applications, as suggested by the Bureau.

28. *It was so decided.*

The meeting rose at 4.15 p.m.